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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,864	11/08/2001	Robert Alan Pitsch	PU010250	6501
7590	01/23/2006		EXAMINER	
JOSEPH S. TRIPOLI THOMSON MULTIMEDIA LICENSING INC. 2 INDEPENDENCE WAY P.O. BOX 5312 PRINCETON, NJ 08543-5312			SWERDLOW, DANIEL	
			ART UNIT	PAPER NUMBER
			2646	
DATE MAILED: 01/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/007,864	PITSCH ET AL.	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 October 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 8 and 13-16 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 8 and 13-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

**DETAILED ACTION*****Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 8 and 13 through 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin (US Patent 4,577,255) in view of Gutzmer et al. (US Patent 6,282,271) and further in view of Akdag et al. (US Patent 6,243,247) and further in view of Shannon et al. (US Patent 4,903,295).**

3. Regarding Claim 8, Martin discloses an electronic apparatus comprising: a transformer (Fig. 2, reference T1) and DSL equipment (i.e., a modem) (column 2, lines 49-51) coupled to a winding (Fig. 2, reference L4) of the transformer; a voltage protection circuit (Fig. 2, reference Z3, Z4) coupled to a primary winding of the transformer (Fig. 2, reference L2), wherein the transformer primary winding (Fig. 2, reference L2) is coupled to tip and ring lines and the secondary winding is coupled to the DSL equipment (i.e., modem) (Fig. 2, reference L4); zener diodes that correspond to the ESD protection circuit claimed coupled between the terminals of the secondary winding and ground (Fig. 2, reference Z7, Z8). Therefore, Martin anticipates all elements of Claim 8 except the tip and ring connection being via an RJ-11 interface and the coupling to ground being via a ground plane and a ground leg from a printed circuit board to a chassis and current protection including a fuse coupled to the transformer winding. Gutzmer discloses the use of the RJ-11 interface to couple a modem protection device to a telephone

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subscriber line (Fig. 1, reference 26; column 3, lines 42-47). Gutzmer further discloses that such an arrangement conforms with existing standards. It would have been obvious to one skilled in the art at the time of the invention to apply the RJ-11 connection taught by Gutzmer to the apparatus taught by Martin for the purpose of making the apparatus compatible with existing standards. Akdag discloses a transient protection device that makes a ground connection via a printed circuit board ground plane (Fig. 1, reference 24; column 3, line 67 through column 4, line 1) that is connected by a wire that corresponds to the ground leg claimed (Fig. 1, reference 26; column 4, lines 1-3) and connects the ground plane to a system ground (Fig. 1, reference 34; column 5, lines 36 through 38). Akdag further discloses that such an arrangement protects the printed circuit board from the surge energy (column 5, lines 39-45). It would have been obvious to one skilled in the art at the time of the invention to apply the grounding connection taught by Akdag to the combination made obvious by Martin and Gutzmer for the purpose of realizing the aforesaid advantages. Shannon discloses a current protection including fuses (Fig. 2, reference 21; column 4, lines 20-24) coupled to the line side of communication equipment. Shannon further discloses that such an arrangement provides protection from severe abnormal electrical disturbances. It would have been obvious to one skilled in the art at the time of the invention to apply the current protection including fuses taught by Shannon to the combination made obvious by Martin, Gutzmer and Akdag for the purpose of realizing the aforesaid advantages.

4. Regarding Claim 13, Martin further discloses the action of the zener diodes protecting the semiconductor line interface (i.e., modem) (column 1, lines 19-28), which is understood by one skilled in the art as preventing lockup or malfunction.

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5. Regarding Claim 14, Martin further discloses the action of the zener diodes protecting the semiconductor line interface (i.e., electronic apparatus) (column 1, lines 19-28), which is understood by one skilled in the art as preventing lockup or malfunction.

6. Regarding Claim 15 and 16, the recitation of an intended use of the protection circuit does not patentably distinguish the claimed invention from the prior art. As such, Claims 15 and 16 are rejected for reasons stated above apropos of Claim 14.

***Response to Arguments***

7. Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection. Shannon discloses the current protection circuit including a fuse claimed.

8. In the response filed on 5 October 2005, applicant attempts to make a patentable distinction between electrical static discharge protection as recited in the claims and lightning protection as disclosed in the references. Examiner respectfully disagrees with this characterization. Lightning is an electrical static discharge and, as such, the recitation in the claim includes lightning as well as other electrical static discharges.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 571-272-7531. The examiner can normally be reached on Monday through Friday between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Swerdlow  
Examiner  
Art Unit 2646

ds  
16 November 2005